

DECISION MEMORANDUM

TO: COMMISSIONER KJELLANDER
COMMISSIONER RAPER
COMMISSIONER ANDERSON
COMMISSION SECRETARY
COMMISSION STAFF
LEGAL

FROM: ERICK SHANER
DEPUTY ATTORNEY GENERAL

DATE: AUGUST 12, 2021

SUBJECT: IN THE MATTER OF ROCKY MOUNTAIN POWER'S APPLICATION FOR APPROVAL OF THE ASSET TRANSFER AGREEMENT BETWEEN ROCKY MOUNTAIN POWER AND THE CITY OF IDAHO FALLS – 733 CUSTOMERS; CASE NO. PAC-E-21-17.

On July 20, 2021, Rocky Mountain Power (“Company”), a division of PacifiCorp, applied requesting approval of an asset transfer agreement (“Agreement”) between the Company and the City of Idaho Falls (“City”). Under the Agreement, the City will purchase certain electric facilities currently owned and used by the Company to supply electric service to 733 customers in the City’s boundaries. The Company submits its Application under *Idaho Code* § 61-328, which states that the Commission “shall issue a public notice and *shall conduct a public hearing* upon the application (emphasis added).” The Company requests its Application be processed by Modified Procedure.

STAFF RECOMMENDATION

Staff recommends the Commission issue a Notice of Application, Notice of Modified Procedure, and a Notice of Telephonic Public Hearing. Staff recommends establishing a public comment deadline of September 14, 2021, and Company reply deadline of September 21, 2021. Staff recommends the Commission schedule a telephonic public hearing on Wednesday, September 22, 2021, at 6 p.m. MDT to comply with the public hearing requirement in *Idaho Code* § 61-328(2).

COMMISSION DECISION

Does the Commission wish to issue a Notice of Application, Notice of Modified Procedure, and a Notice of Telephonic Public Hearing with public comments due by September

14, 2021, and Company reply comments by September 21, 2021, and a telephonic public hearing on Wednesday, September 22, 2021, at 6 p.m. MDT, before the Commission deliberates?



Erick Shaner
Deputy Attorney General

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